

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 118/97.

Date of Decision: 24.04.1998.

Jayashree Anand Bagul,

Applicant.

Shri P.A. Prabhakaran,

Advocate for  
Applicant.

Versus

Union Of India & Another,

Respondent(s)



Shri S. C. Dhavan,

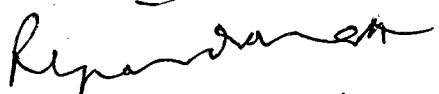
Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. Justice R. G. Vaidyanatha, Vice-Chairman.

Hon'ble Shri. P.P. Srivastava, Member (A).

- (1) To be referred to the Reporter or not? 
- (2) Whether it needs to be circulated to other Benches of the Tribunal? 

  
(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.

os\*

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 118/97

Dated this Friday, the 24th day of April, 1998.

CORAM : HON'BLE SHRI JUSTICE R. G. VAIDYANATHA,  
VICE-CHAIRMAN.

HON'BLE SHRI P. P. SRIVASTAVA, MEMBER (A).

Jayashree Anant Bagul,  
alia Ms. Jayashree Vasant Lad,  
Residing at -  
37, Chandra Nagar,  
L.B. Shastri Marg,  
Bhandup, Bombay-400 078.  
(By Advocate Shri P.A. Prabhakaran)

... Applicant

VERSUS

1. Union Of India by and through  
The Secretary to Government  
of India,  
Ministry of Railways,  
Rail Bhavan,  
New Delhi - 110 001.
2. The General Manager,  
Central Railway,  
Bombay V.T.

... Respondents.

(By Advocate Shri S.C. Dhavan)

: OPEN COURT ORDER :

¶ PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN ¶

This is an application filed by the applicant for a direction to the respondents to reinstate her in service and for other consequential reliefs. M.P. No. 719/97 is filed for condonation of delay. The respondents have filed reply opposing the O.A. and M.P. We have heard the Learned Counsels appearing on both the sides.

2. According to the applicant, she was working as an hourly rated announcer till 15.05.1987. She went on leave till 15.09.1987. Thereafter she has not resumed duty till now. In the meanwhile, the respondents terminated the applicant's service vide Annexure A-4 dated 17.09.1987 stating that if the applicant does not join service by 15.09.1987, her services stand terminated. If the applicant was aggrieved by that order, she should have preferred an appeal before the Appellate Authority or she should have approached any Court or Tribunal but she kept quiet for nearly ten years and has now filed the present O.A. in October, 1996. No ground is made out in the O.A. for condonation of delay. Then subsequently a M.P. is filed for condonation of delay. The two reasons given are that the applicant used to frequently approach the respondents' Officers and the other ground is about financial difficulties of the applicant.

3. In our view, there is no satisfactory explanation for a delay of about ten years in filing the present O.A. In our view, no ground is made out for condoning such undue delay in filing the O.A.

4. In the result, the O.A. as well as M.P. No. 719/97, are rejected on the ground of limitation, delay and laches. No costs.

  
(P.P. SRIVASTAVA)  
MEMBER (A).

  
(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.